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YUNKER & ASSOCIATES

MAY 13 2004

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PUBLIC SERVICE
COMMISSION

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MAY 13 2004

PUBLIC SERVICE
COMMISSION

May 11, 2004
VIA FIRST CLASS MAIL

Thomas M. Dorman, Executive Director
Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, KY 40602-0615

Re: Case No. 2003-00266, Investigation into the Membership of
Louisville Gas and Electric Company and Kentucky Utilities
Company in the Midwest Independent Transmission System
Operator, Inc.

Dear Mr. Dorman:

Enclosed are the original and eleven (11) copies of Notice to the Commission, to be filed in the above-referenced proceeding on behalf of Midwest Independent Transmission System Operator, Inc. The additional copy is to be stamped with the date of receipt/ filing and returned to us in the enclosed self-addressed stamped envelope.

Sincerely,


Benjamin D. Allen

Enclosures

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MAY 13 2004

COMMONWEALTH OF KENTUCKY PUBLIC SERVICE
COMMISSION
BEFORE THE PUBLIC SERVICE COMMISSION

ORIGINAL

In the Matter of:

Investigation into the Membership of Louisville
Gas and Electric Company and Kentucky
Utilities Company in the Midwest Independent
Transmission System Operator, Inc.

Case No.

NOTICE TO THE COMMISSION

On March 8, 2004, Midwest Independent System Operator, Inc. ("Midwest ISO") petitioned the Commission pursuant to 807 KAR 5:001 § 7 for an Order granting confidential treatment and protection from public disclosure certain information provided in response to requests by the Commission or its staff at the Commission's hearing in this matter, held from February 25 to 27, 2004. Specifically, Midwest ISO sought confidential treatment for information it provided in response to a data request made by Commissioner Martin Huelsmann to Midwest ISO witness and Chief Financial Officer, Michael P. Holstein, regarding officer compensation for the years 2003 and 2004. In its petition, Midwest ISO informed the Commission that its compensation data for 2003 would remain confidential until it is reported on Form 1 to the Federal Energy Regulatory Commission ("FERC") on or before April 30, 2004, and that Midwest ISO's compensation data for 2004 would remain confidential until it is included in a similar FERC Form 1 filing on or before April 25, 2005. The Commission granted Midwest ISO's petition for confidential treatment of this information on March 15, 2004.

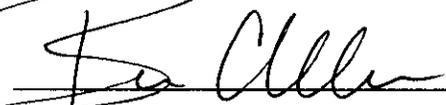
Pursuant to 807 KAR 5:001 § 7(9)(a), Midwest ISO hereby gives notice to the Commission that it publicly disclosed the compensation data for the year 2003 on Form 1, which it filed with the FERC on April 30, 2004. As such, the compensation data for 2003 may be

placed into the public record. Midwest ISO's compensation data for 2004 must remain confidential unless and until such data is disclosed in the FERC Form 1 filing on or before April 25, 2005. Midwest ISO notes, however, that the 2003 and 2004 compensation data were provided on a single-paged document with the information for which it sought confidential treatment highlighted pursuant to KAR 5:001 § 7(2)(b). The Commission thus cannot release that document into the public record without also disclosing the still-confidential 2004 compensation data. Therefore, Midwest ISO herewith submits to the Commission for filing in the public record, and serves upon the parties, a revised redacted version of Attachment B to its Response to the Commission's Hearing Data Requests, which Midwest ISO filed and served on March 8, 2004. This revised document discloses Midwest ISO's now-public 2003 officer compensation data; the redactions are of the 2004 compensation information.

Respectfully submitted,

Katherine K. Yunker
Benjamin D. Allen
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Fax: 859-255-0746

James C. Holsclaw
MIDWEST INDEPENDENT TRANSMISSION
SYSTEM OPERATOR, INC.
701 City Center Drive
Carmel, IN 46032
317-249-5850
Fax: 317-697-0792

By: 

ATTORNEYS FOR MIDWEST INDEPENDENT
TRANSMISSION SYSTEM OPERATOR, INC.

CERTIFICATE OF FILING AND SERVICE

I hereby certify that on this the 11th day of May, 2004, the original and ten (10) copies of the foregoing Notice to the Commission and attached Revised Redacted Attachment B were sent, via first class mail to Thomas M. Dorman, Executive Director, Kentucky Public Service Commission, 211 Sower Blvd., Frankfort, Kentucky, 40602, and one copy was served, via first class mail on:

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500 West Jefferson Street
Louisville, KY 40202



ATTORNEY FOR MIDWEST INDEPENDENT
TRANSMISSION SYSTEM OPERATOR, INC.

		<u>2003*</u>	<u>2004†</u>
Jim Torgerson	President and CEO	735,686	
Michael Holstein	V.P. and CFO	365,631	
Michael Gahagan	V.P., CIO, and CSO	402,180	
William Phillips	V.P. of Operations	370,965	
Stephen Kozey	V.P., General Counsel, and Secretary	385,348	
Alex DeBoissiere	V.P. and Chief Regulatory & Legislative Officer	277,885	

* Actual total, cumulative of salary and bonus.

† Budgeted total, cumulative of salary and bonus; bonus is performance dependent.